IN THE HIGH COURT OF UTTARAKHAND AT NAINITAL

Writ Petition No. 451 of 2007 (M/B)

Kamal Singh Nath s/o Late Shri Fateh Singh Nath,
R/o Village Dharsau,
Post Office Dhrasu (Batheri), Tehsil Dunda,
District Uttar Kashi …….. Petitioner

Versus

1. State of Uttarakhand through Principal Secretary, Forest, Government of Uttarakhand, Secretariat, Dehradun, Uttaranchal.
2. Conservator of Forest, Bhagirathi Circle, Uttarakhand, Munikireti, District Dehradun.
3. Divisional Forest Officer, Uttarkashi Forest Division, Uttarkashi.
4. Union of India through Secretary, Ministry of Environment & Forest, Government of India, Paryavaren Bhavan, C.G.O. Complex, Lodhi Road, New Delhi …..... Respondents

……..

Sri Sanjay Bhatt, Advocate for the petitioner.
Sri Subhash Upadhayaya, Brief Holder for respondents 1, 2 and 3.
Sri Arvind Vashistha, Assistant Solicitor General for respondent no. 4.

JUDGMENT

Coram: Hon'ble Rajeev Gupta, C.J.
Hon'ble J.C.S.Rawat, J.

RAJEEV GUPTA, C. J. (Oral)

Sri Sanjay Bhatt, Advocate for the petitioner.

Sri Subhash Upadhyaya, Brief Holder for respondents 1, 2 and 3.

Sri Arvind Vashistha, Assistant Solicitor General for respondent no. 4.

2. Sri Subhash Upadhyaya, the learned Brief Holder submits that the writ petition filed by petitioner Kamal Singh Nath has, now, become infructuous as the appeal filed by the petitioner before the Conservator of Forest has already been finally decided vide order dated 21.04.2007.

3. Sri Sanjay Bhatt, the learned counsel for the petitioner, in view of the above developments, seeks permission to withdraw the writ petition with the liberty of filing another writ petition for the reliefs sought by the petitioner in this writ petition and also challenging the dismissal of his appeal vide order dated 21.04.2007.

4. Permission granted.

5. With the above liberty, the writ petition is dismissed as withdrawn.

(J.C.S. Rawat, J.) **(Rajeev Gupta, C.J.)**

02.05.2007 02.05.2007

A